

REMARKS

In the Office Action, the Examiner rejected Claims 1, 3, 7, 10, 13, 22, 23, and 33-35; objected Claims 2, 4-6, 8, 9, 11, 12, 14-21, and 24-26; and allowed claims 27-32.

Applicant respectfully thanks the Examiner with appreciation for allowing Claims 27-32, and for indicating that Claims 2, 4-6, 8, 9, 11, 12, 14-21, and 24-26 contain patentable subject matter.

In response to the Office Action, Applicant amends Claims 1, 13, 22, and 33-35 to clarify Applicant's claimed invention. Applicant amends the claims solely to facilitate prosecution and reserves the right to pursue claims of broader scope in a continuation application.

After entry of the present Response, Claims 1-35 are pending in the Application. Applicant respectfully asserts that Claims 1-35 are in condition for allowance and respectfully requests reconsideration of the claims in light of the above presented clarifying amendments and following remarks. No new matter is believed to be introduced by the above presented clarifying amendments.

I. Pending Claims

Applicant amends independent Claims 1, 13, 22, and 33 to clarify Applicant's claimed invention. Specifically, Claim 1 now recites "such that the metals form a eutectic alloy"; Claim 13 now recites "the bond being a eutectic alloy comprising the metals"; Claim 22 now recites "wherein the bonding material is formed at a temperature lower than the melting point of the metals"; and Claim 33 now recites "wherein at least one of the plurality of metals in the thermal interface material is diffused within another metal." Applicant respectfully asserts that these claims are now in condition for allowance and that their dependent claims are also in condition for allowance for the further limitations contained therein.

II. 35 U.S.C. § 103(a) Rejection to Claims 1, 3, 7, 10, 13, 22, and 23

The Examiner rejected Claims 1, 3, 7, 10, 13, 22, and 23 under 35 U.S.C § 103(a) as being unpatentable over *Matayabas, Jr. et al.* (U.S. Patent No. 6,597,575). The Examiner asserts that "[w]hile the plurality of metals capable of forming a transient liquid phase bond *is not clearly taught*, it is inherently present or certainly would have been obvious to form polymer/metal (see abstract) simultaneously with conductive filler, thereby forming a transient liquid phase bond in the device, as is very well known."

While Applicant respectfully disagrees with the Examiner's assertion regarding obviousness and believes that the Examiner has not set forth a *prima facie* case of obviousness as required by MPEP § 2143, Applicant amends independent Claims 1, 13, and 22 solely to facilitate prosecution. Applicant respectfully asserts that amended Claims 1, 13, and 33, and their dependent claims are in condition for allowance. Applicant, therefore, respectfully requests withdrawal of the rejection to Claims 1, 3, 7, 10, 13, 22, and 23.

III. 35 U.S.C. § 103(a) Rejection and Objection to Claims 33-35

The Examiner rejected Claims 33-35 under 35 U.S.C § 103(a) as being unpatentable over Chiu (U.S. Patent No. 6,519,154) in view of *Matayabas, Jr. et al.* In light of Applicant's clarifying amendment to Claim 33, Applicant respectfully asserts that Claims 33-35 are in condition for allowance.

The Examiner also objected to Claims 33-35 due to minor informalities. The Examiner further suggested amendments to over these minor informalities. Applicant has amended Claims 33-35 as suggested by the examiner, and Applicant respectfully thanks the Examiner for suggesting these amendments.

Applicant, therefore, respectfully requests the Examiner to withdraw the rejection and objection to Claims 33-35.

IV. FEES

Applicant files this Response within three (3) months of the 20 April 2005 Office Action and with no additional claims. Accordingly, Applicant believes that no extension or claims fees are due. The Commissioner is hereby authorized, however, to charge any fees that may be required, or credit any overpayment, to Deposit Account No. 20-1507.

V. CONCLUSION

The foregoing is a complete response to the Office Action mailed 20 April 2005. Applicant respectfully submits that Claims 1-35 are in condition for allowance and respectfully requests passing of this case in due course of patent office business. If the Examiner believes there are other issues that can be resolved by a telephone interview, or there are any informalities remaining in the application which may be corrected by an Examiner's amendment, a telephone call to Hunter Yancey at (404) 885-3696 is respectfully requested.

Respectfully submitted,

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